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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,816	12/17/2001	Andreas Berg	112740-306	1811
29177	7590	07/01/2004	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			ADINEW, HENOK S	
			ART UNIT	PAPER NUMBER
			2686	6

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/018,816

Applicant(s)

BERG, ANDREAS

Examiner

Henok S Adinew

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 04/17/2000. It is noted, however, that applicant has not filed a certified copy of the 10018999.7 application as required by 35 U.S.C. 119(b).

Drawings

2. The drawings are objected to because of the following minor informalities:

a) On figure 1, a label identifying the Service Control Point (SCP) is written as SPC, the correct label is requested since the specification refers to said label as SCP (see, e.g., page 5 lines 2-5).

b) On figure 1, a label (ATIack) identifying one of the messages is not described within the detailed description of the invention.

Claim Rejections – 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 6,⁷₈ and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Verdonk (U.S. Patent # 6,330,454 B1).

Regarding claim 6, Verdonk discloses a method for providing information on a current location of a mobile unit, (terminal) read as claimed, for a telecommunication service in a mobile radio network, in which at least one Mobile Switching Center 102 (fig. 1) with a Visitor Location Register 108 (fig. 1) exists, the method comprising the steps of:

Transmitting a paging message to the mobile unit (terminal) using supported paging algorithms in an attempt to locate the mobile unit within its service area (first message); checking location information in the Visitor Location Register 108 (fig. 1); Service Control Point sending a request to either the Home Location Register (HLR) or to an originating Mobile Switching Center (MSC), the MSC then accesses its Visitor Location Register (VLR) to determine the location; sending a reply, via the Visitor Location Register 108 (fig. 1), to the Service Control Point 142 (fig. 1), the reply containing location information and time stamp, (age) as claimed, for the location information; and evaluating the location information contained in the reply via the telecommunications service (col. 7: lines 34-37; col. 5: lines 20-23, 37-40, 42-48; col. 7-8: lines 62-111).

Regarding claim 7 and as applied to claim 6 above, it is inherent from Verdonk that the second message is transmitted after a certain period of time after the transmission of the first message (col. 5-6: lines 60-6).

Regarding claim 8 and as applied to claim 6 above, Verdonk discloses the serving Mobile Switching Center 102 (fig. 1) pages the mobile unit (first message) using supported paging algorithms, (empty) read as claimed, in an attempt to locate the mobile unit within its service area (col. 7: lines 34-37).

Regarding claim 9 and as applied to claim 6 above, Verdonk discloses a method further comprising the steps of:

Forwarding the first message to the Mobile Switching Center 102 (fig. 1) with the Visitor Location Register 108 (fig. 1), with which the mobile unit, (terminal) read as claimed, had the last contact with the telecommunication network; attempting to forward, via the Mobile Switching Center, the first message to the mobile unit; and updating the location information entry in the Visitor Location Register (col. 5: lines 32-47; col. 6-7: lines 41-5; col. 7: lines 34-37).

Regarding claim 10 and as applied to claim 6 above, Verdonk discloses when the last access cell partition is requested, the location information will be retrieved from the Visitor Location Register 108 (fig. 1) and send in a LOCAID parameter to Home Location Register 110 (fig. 1) and relayed to the Service Control Point 142 (fig. 1) in a locreq message. If the current coverage, (up-to-date) read as claimed, location is requested, the serving Mobile Switching Center 102 (fig. 1) will page the mobile unit using a page message, determine the current coverage cell/sector and relay this information to the Service Control Point via the Home Location Register (col. 5-6: lines 65-4).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Jana et al., US Patent Application Publication number US 2002/0072352 A1, discloses a method and apparatus for querying the status of mobile subscribers.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henok S Adinew whose telephone number is (703) 305-4700. The examiner can normally be reached on from 8:30am to *6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold, can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Henok S Adinew
Examiner
Art Unit 2686


RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
6/25/04